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CONTEMPORARY FORMS OF SLAVERY

Report of the Working Group on Contemporary Forms of Slavery on its twentieth session

Draft programme of action on the traffic in persons and the exploitation of the prostitution of others

Introductory remarks

1. The traffic in persons and the exploitation of the prostitution of others must arouse the concern of the international community not only because they remain rife in various parts of the world but also because they are acquiring new forms and are being pursued on an industrial scale to a dangerous extent. It is thus necessary to develop a political and social will to combat and eliminate them.

2. The traffic in persons and the exploitation of the prostitution of others have become the basis for sordid international businesses, making unprecedented use of advertising, modern techniques and the promotion of tourism for purposes of sexual exploitation. Such businesses exploit the poverty and ignorance of poor persons, particularly from the deprived countries, there being a great demand in the developed world for the services of persons involved in such businesses and practices.

3. The preamble to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 2 December 1949 lays down that these phenomena are incompatible with the

dignity and worth of the human person and endanger the welfare of theindividual, the family and the community. Everything possible must be done to make public opinion fully aware of this at the national, regional and international levels.

4. Moreover, particularly through education and prevention, awareness must be created in all sectors of society and of the public authorities of the serious dangers posed by the traffic in persons and the exploitation of prostitution to the welfare and destiny of the present and future generations.

5. It is thus essential that every effort be made to achieve the universality of the existing legal instruments and ensure their more effect application.

6. Steps must be taken to protect the victims of these inhuman practices and provide them with the necessary assistance, while severely punishing the perpetrators and combating the economic and social causes of the traffic, in the national, regional and international framework, where necessary by adapting domestic legislation and the international instruments to the requirements of the situation.

A. General

7. To prevent the traffic in persons and exploitation of the prostitution of others, international cooperation must be strengthened and concerted measures adopted with respect to information and economic and technical assistance in order to promote the establishment of development and rehabilitation programmes at the national, regional and international levels. Likewise, legislative measures must be adopted and enforcement of the existing legislation must be strengthened. It would be advisable to establish coordinating agencies.

8. At the global level, coordination of the programme of action should be carried out by the Centre for Human Rights in cooperation with the other sections of the United Nations Secretariat, and in particular the Division for the Advancement of Women, the Committee on the Elimination of Discrimination against Women and the Division of Crime Prevention and Criminal Justice, and with concerned intergovernmental agencies, in particular UNHCR, UNICEF, ILO, UNESCO and WHO. Cooperation should also be strengthened with INTERPOL.

Information and education

9. An urgent international information campaign to raise public awareness of the traffic in persons and the exploitation of the prostitution of others should be launched, in which the international organizations and non-governmental organizations should be encouraged to participate. The media should also be called upon in order to help break the silence surrounding these issues, while avoiding sensationalism. Law-enforcement agencies should be given a significant role in this campaign.

10. In order to improve the quality and the availability of information, studies on and investigations of the phenomena of exploitation and their new manifestations should be undertaken by public and private institutions. The

outcome should, wherever possible, be made public and give rise to exchanges of experience between governmental and non-governmental organizations at the national, regional and international levels.

11. Governments and UNESCO should be invited to draw up programmes for use in schools and by the media designed to correct the image of women in society, so as to put an end to prejudices in that regard and to promote, through practical measures, full equality between men and women.

12. In order to provide a focus for the campaign to abolish contemporary forms of slavery, Member States should consider organizing a day for national educational activities, drawing attention to the need for abolishing all contemporary modes of slavery. Such national activities should be held on 25 September each year, the anniversary of the adoption of the Slavery Convention of 1926

13. All educational efforts should be based on universal ethical principles, including the recognition of the integrity of the family and of every person's fundamental rights to the integrity of his or her own body and the protection of his or her identity. Such educational programmes should include:

(a) Compulsory primary education for all;

(b) Accelerated literacy programmes, particularly for women and girls;

(c) Vocation-oriented formal and/or non-formal education curricula;

(d) Warning of the dangers of the traffic in persons and the exploitation of the prostitution of others, including health risks such as the acquired immunodeficiency syndrome (AIDS), and of drug and alcohol consumption and their damaging effects; and

(e) Ways to prevent, identify and expose such violations and to help the victims of these practices, particularly the child victims.

14. Parents should be encouraged, by various means, to bring up their male and female children in an egalitarian manner to promote respect for and the development of girls from earliest infancy within their own family.

15. Social workers, health workers and members of law-enforcement agencies and of the judiciary should also receive education on the occurrence of such violations and forms of exploitation and the ways in which they can be prevented and combated.

16. The number of women among the State personnel having direct contact with the victims of these violations and forms of exploitation should be increased.

17. Strengthening the family nucleus and respect for moral values could constitute a major contribution to the measures adopted to prevent prostitution, the traffic in human beings and exploitation in all its forms. Civic and moral training, both inside and outside school, should thus be given with a view to discouraging and thereby preventing such exploitation and violations.

18. It is recognized that the prime causes of the traffic in persons and their exploitation are often linked to poverty, and that long-range structural reforms in the social, cultural and economic fields will be required to prevent these degrading practices. Development activities of the United Nations and international and national agencies should have a substantive and positive impact on women and, in particular, on children. Priority should be given to policies aimed at improving the social and economic conditions of women in general and of the poorest women in particular. Local community projects, including collective self-help projects among vulnerable women and children, should also be encouraged.

19. States of origin and States of reception should adopt measures aimed at combating the underlying causes of such problems, and States of reception should be particularly alert to take action against the traffic in persons and exploitation of the prostitution of others wherever this is done for gain or where exploitation leads to violations of the human rights or human dignity of the persons involved.

20. For many countries, the application of programmes to benefit women and children who are victims of the traffic in persons necessitates substantial assistance and requires a greater commitment on the part of the international community, which should take the form either of financing specific projects or strengthening development assistance.

21. Plans for development and assistance, especially those aimed at developing countries, must take into account the needs of women who are victims of the traffic and of sexual exploitation. Governments and non-governmental organizations must be encouraged to undertake activities for the protection of women who are victims of the traffic in persons or the exploitation of the prostitution of others, particularly women from other countries and children.

Legal measures and law enforcement

22. Legislation aimed at protecting women and children against trafficking and sexual exploitation should be improved and more effectively enforced. Prosecution policies should be developed. Treatment and support systems should focus more on victims of such abuses. Legal aid should be easily available to victims. Methods should be devised to secure testimony from women and children who have been the victims of such abuses without further traumatizing them, and to ensure the protection of witnesses.

23. Traffic in persons and the exploitation of the prostitution of others are serious crimes and must be treated as such. More severe penalties should be imposed on procurers, intermediaries and accomplices.

24. Effective legislation and enforcement measures, including prosecution, must also be directed against middlemen, agents, dealers, brothel-owners and others, who encourage and make a profit from traffic in persons and the sexual exploitation of women and children. Measures should be adopted to prevent money laundering and the product of such activities should be used for the benefit of the victims.

Rehabilitation and reintegration

25. Programmes for rehabilitation and reintegration with an interdisciplinary approach should be established to assist women and children who have been victims of trafficking and sexual exploitation, and their families. Agencies implementing such programmes, whether public or non-governmental, should be given the necessary support and funding.

26. These programmes should aim at eliminating discrimination that ostracizes prostitutes, so as to facilitate their reabsorption into society. Moreover, persons saved from prostitution should have access to the vocational training of their choice, thus rendering possible a more rapid social reintegration.

International coordination

27. Bilateral and multilateral cooperation among law-enforcement agencies is essential. States should establish their own databases, improve their reporting at all levels, and report to INTERPOL to allow the establishment of a special data bank on suspects involved in cases of abuses across borders. The experience gained in international police cooperation in combating drug trafficking should be made use of to prevent international trafficking in persons and sexual exploitation of women and men.

B. Traffic in persons

28. There is a need to strengthen existing laws or to adopt new laws to punish all those who knowingly participate in the traffic in persons, and particularly the traffic in children with a view to trafficking in organs.

29. Measures should be taken to ensure that the traffic in persons, particularly women and children, is not effected by means of bogus marriages, clandestine employment and immigration, domestic labour or false adoptions.

30. States should urgently adopt effective measures at the national level and through international cooperation to recover persons who have fallen victim to the traffic in persons, in order to protect them and facilitate their return to their own countries and their reintegration into society.

31. The competent United Nations bodies, including the Office of the High Commissioner for Refugees, should pay due attention, in their fields of activity, to protecting persons who are victims of the traffic in persons and the exploitation of others.

C. Exploitation of the prostitution of others

32. Legislative and other measures should be taken to prevent sex tourism and penalize those who organize it. Such measures should be adopted and implemented in both the countries from which the customers come (most often industrialized countries) and the countries to which they go (developing countries). The fact of providing or organizing, for gain and with a view to attracting tourists, programmes based on sexual relations and the publication for that purpose of magazines, films or tourist guides should be penalized on the same level as procurement.

33. The World Tourism Organization should be encouraged, in the context of the progressive implementation of the provisions of the Tourism Bill of Rights and Tourist Code adopted by its Sixth General Assembly in 1985, to develop further the range of its activities, namely, consumer information, legislation, education and training and technical cooperation, in order to contribute to preventing such practices.

34. States having military forces on foreign territory, as well as host States, should take all the necessary measures to prevent their military personnel from becoming involved in the exploitation of prostitution and, in particular, child prostitution. Similar measures should be taken in respect of other State public servants posted abroad for professional reasons and of employees of international organizations.

35. Legislation should be adopted to prevent new forms of technology, in particular modern electronic communication technology, from being used for promoting and encouraging prostitution, sexual exploitation of children and pornography.

36. States which have not yet done so are urged to enact legislation making it a crime to produce and distribute pornographic material involving women and children, and to possess pornographic material involving children.

37. States should prohibit the insertion or transmission in letter-post items or parcels of obscene, immoral or pornographic articles, in particular involving children. Customs services should be authorized to detect and prevent the transmission of such articles and materials.

38. States should be encouraged to protect persons, in particular children, from exposure to pornography through suitable legislation and appropriate measures of control.

D. Regulation and international action

39. The States parties to the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others should take all necessary steps to ensure its implementation. They should be encouraged to transmit regularly reports to the Secretary-General on the implementation of the Convention. States which are not yet party to the 1949 Convention should examine the possibility of acceding to it.

40. All States should take the necessary steps to implement the standards and principles that prohibit and punish the traffic in persons and the exploitation of the prostitution of others and report on their national legislation and enforcement in practice of such standards and practices.

41. All United Nations bodies that consider questions connected with the traffic in persons and the exploitation of the prostitution of others should examine the problems involved in the application of the standards and principles relating to these practices. To that end, a seminar should be organized by the Centre for Human Rights, with the participation of experts from various parts of the world, intergovernmental organizations (WHO, UNESCO, INTERPOL, ILO, UPU and ITU) and non-governmental organizations, as well as

United Nations bodies such as UNICEF, the Committee on the Elimination of Discrimination against Women, the Division For the Advancement of Women and the Crime Prevention and Criminal Justice Branch.

42. The Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, as well as other bodies established under human rights treaties, should be invited, when they examine reports submitted by States parties, to pay all due attention to the elimination and suppression of the traffic in persons and the exploitation of the prostitution of others.

43. The Centre for Human Rights should be designated by the Secretary-General as the focal point for the coordination of activities in the United Nations for the suppression of contemporary forms of slavery.

44. It is essential that the mass media should make an effective contribution to promoting and applying this programme of action at the national, regional and international levels.